A PLAN OF ASSOCIATION, ON CONSTITUTIONAL PRINCIPLES,

FOR THE PARISHES, TITHINGS, HUNDREDS, AND COUNTIES OF

GREAT BRITAIN;

BY WHICH THE OUTRAGES OF MOBS, AND THE NECESSITY OF A

MILITARY GOVERNMENT

WILL BE PREVENTED, AND THE

ENGLISH CONSTITUTION

IN A GREAT MEASURE RESTORED.

IN

THREE LETTERS

TO A

MEMBER OF PARLIAMENT.

The First containing—The general Causes of the late Outrages, by the Protestant Association; and Remarks on the *Discoveries* supposed to have been made by them.

The Second—The Plan of Association.

The Third—Objections to the Plan—The necessity of adopting it; or some Plan of a similar nature.

INTER SE CONGRUUNT, PRÆCEPTA & EXPERIMENTA.
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A PLAN OF ASSOCIATION, &c.

LETTER I.

Vagus primum & incertus Rumor, mox, ut in magnis mendaciis, interfuisse se quidam & vidisse affirmabant. TAC.

SIR,

YOU have assigned me a very difficult task, that of explaining the causes of the late Tumults and Outrages, and giving you a *concise* and *clear* account of them.

IF I were to assign a *general cause*, it would be the following—That the Administration of Government in England,

for many years, has been miſemployed, and its attention directed to diſtant and unimportant objects; while thoſe proviſions, cuſtoms, inſtitutions, and laws, which our anceſtors had left for our ſecurity, and which are ſometimes called our Conſtitution, have been ſuffered to languiſh and die.

THE convulſions which brought on the *Revolution*, and introduced the Hanover family, did not ſubſide into unanimity, but created a neceſſity of adopting a partial and contracted mode of Adminiſtration, whoſe object was the ſecurity of *Government*, rather than the happineſs of the people. The mild hand with which meaſures were purſued, rendered their inconveniences almoſt imperceptible; and a concurrence of fortunate circumſtances in commerce, having enriched us, the proviſions which had been made for *particular* purpoſes, were directed

rected to thoſe of ambition and conqueſt; and for a few years we had the vain and uſeleſs glory of giving law to Europe.

But theſe things, being beſtowed by fortune, who generally omits to put up the moſt important bleſſing among her gifts, wiſdom to preſerve, or talents to make uſe of them;—we had no ſooner formed an enormous empire, than it fell to pieces by the weight of its diſcordant parts. Our utmoſt efforts have been exerted to re-unite thoſe parts; and the whole attention of the nation has been fixed on this ſingle, and in all probability, unattainable object.

In a ſucceſſion of events, ſo important, ſo intereſting, and ſo rapid, it will not ſeem wonderful, that the proviſions of civil government, for internal ſecurity and happineſs, ſhould have been diſuſed

and neglected; and that a people who abhor a ſtanding army, and to whoſe Conſtitution of Government it is unneceſſary, injurious, and even fatal, ſhould owe their preſervation and ſafety to that army.

THIS, Sir, is the general cauſe. How far its effects may have been accelerated by the views and meaſures of parties, or of individuals, is an inquiry of little importance; and which, perhaps, no man can make without ſacrificing truth to his partialities and paſſions.

THOUGH invidious compariſons have been made between this period, and that which preceded the Civil War, and the death of Charles the Firſt; though a faint and diſtant ſimilitude of effects have been attributed to cauſes exactly ſimilar —I am inclined to believe, that Adminiſtration was actuated by views above

thoſe of party, in their perfect acquieſcence and conſent to the lenient meaſures taken in regard to the Roman Catholics.

THOUGH calumny has ranged through the utmoſt extent of our language, to obtain epithets of reproach and infamy to be applied to Gentlemen in Oppoſition, I am convinced, that in obtaining the act of the 18th Geo. III. chap. 60, their motives do honour to humanity. And that the meaſure had no ingredient of party ſpirit in it, is clearly evident from an omiſſion, in all caſes impolitic, and which they had never been guilty of where Adminiſtration was concerned—I mean that of attempting to render their Conſtituents parties, and explaining the motives on which they proceeded.

THAT it is the part of truth and wiſdom

dom to *tolerate* error and folly, in order to aſcertain their nature, and remedy them, is a propoſition as clearly demonſtrable, as any in nature. The imaginary dangers to the former from the latter, are the ſuggeſtions of folly or of *Atheiſm*. That an unlimited toleration of opinions may be perilous to ſome inſtitutions, may be true; for in that caſe *reaſon would be tolerated*, from whom the moſt alarming dangers are really to be apprehended; but error of every kind, in opinions, and the avowal of opinions, is ſtrengthened and eſtabliſhed by ſeverity and perſecution.

THOSE Proteſtants who were not capable of reaſoning in this manner, were gradually acquieſcing in the truth under the evidence of facts; and a little trouble taken to inform them by the friends of the Bill, much leſs than has been taken to pervert and inflame them,

them, would have quieted their minds. They ſaw, that notwithſtanding the officious imprudence of a few bigotted and viſionary prieſts, the great body of Roman Catholics were aſſimilating with the reſt of his Majeſty's ſubjects, and gradually loſing their religious prejudices, in habits of attachment to a mild and happy Government. The doctrine of viſiting the ſins of remote anceſtors on all their poſterity, would depopulate the earth; for there cannot be a human being whoſe life is not forfeited on that principle.

The Bill was therefore obtained without ſufficient precautions in regard to the people; and the outrages * occaſioned in Scotland, by apprehenſions that

* In February 1779, the Mob at Edinburgh committed violent outrages on the chapels and houſes of the Roman Catholics.

that the effects of it would be extended to that country, were treated with too much indifference and contempt.

INDEED, the affectation of diſregard to all religious opinions, and the artifice of paying *occaſional* attention to the intereſts and paſſions created by them, are circumſtances which do not add ſo much to the dignity and importance of our ſenators as they imagine. A profligate and unprincipled hypocriſy excites hatred and horror in the very perſons on whom it is intended to impoſe; whereas a plain avowal of any opinions, and a conduct uniformly conſiſtent with them, would always be excuſed, and generally be reſpected.

YOU know I have in my eye, ſome of thoſe wits, who expreſſed themſelves ſo unguardedly, ſo fooliſhly, to the Committees of the eſtabliſhed and diſſenting

diſſenting Clergy, who have ſo often of late had intercourſes with them: almoſt every man in the kingdom was inſtantly made acquainted with their real characters and opinions, and the artifices they occaſionally uſed, to cover and conceal them.

THIS may be deemed very artful; but it is wretched policy: it is the reaſon, that every thing from Parliament reſpecting religion, is regarded by the People with ſuſpicion and diſreſpect.

LORD GEORGE GORDON, a young nobleman of good family, but of very ſmall fortune; of an impetuous temper, and ſtrong paſſions, with an underſtanding rather wild and uncultivated than weak; having received a tincture of religious enthuſiaſm at the breaſts of a preſbyterian nurſe—ſaw, or imagined he ſaw, his road to glory in the proper manage-

ment of theſe circumſtances. He had been a witneſs to what paſſed in Scotland; he believed that the experiment on Toleration would be as fatal to Government, as the attempt to introduce the Liturgy had been to Charles the Firſt; that all Scotland would unite againſt the abettors of Popery; and that he, poſſibly, might be their leader.

His diſpoſition, his views, and his connections in Scotland, led him immediately to thoſe Scotch Preſbyterians, and thoſe Methodiſts in England, who are of the ſame intolerant complexion. Theſe perſons, aſſembled with a tumultuous impetuoſity, choſe him their Preſident; and reſolved on a Petition to Parliament, which they determined ſhould be a law.

In all theſe proceedings, both in England and Scotland, the people had *felt* themſelves

themſelves free from any civil reſtraint or regulation, but in the commiſſion of actual outrages; and they could not be expected to have any awe or apprehenſion of a Government, the powers of which were ſunk into diſuſe.

Lord George ſtated his meaſures, and avowed his intentions in Parliament. The apparent extravagance of his declarations, made in the abrupt and uncouth manner of a ſchool-boy, generally produced a laugh, and was always treated with contempt.

This, in all probability, irritated his paſſions into vindictiveneſs; and knowing he could put himſelf at the head of a multitude, he determined to awe and intimidate Parliament into a repeal of the Act in favour of the Roman Catholics.

THIS is the moſt favourable interpretation of his advertiſements and conduct, previous to Friday the ſecond of June, when twenty or thirty thouſand men were aſſembled by him in St. George's-Fields; arranged in four diviſions; ſent through different parts of the City to increaſe their numbers; and re-aſſembled at the doors of the Senate. The general poſition was, That they *had a right* to what they aſked. They therefore uſed violence on every member who would not engage to obey their commands.

THAT ſuch meaſures had been agreed upon, is very probable, from the inſtructions of Lord George, That the Mob ſhould wait for information from him, and from the manner in which he frequently gave that information; and it cannot well be doubted, that there was an intention the people ſhould break

break into the Houſes of Parliament, and either compel them into ſome humiliating and ridiculous action, or drive the members out. All his harangues were of an inflammatory nature; and his followers were on the point of breaking in, when Col. ———* told him, that on the firſt appearance of one of the Rioters, he would plunge his ſword into the boſom, not of the Rioter, but of Lord George. Not poſſeſſing the genuine ſpirit of martyrdom, he thought it prudent to adviſe the people to depart; teſtifying his reluctance, however, in granting Parliament the liberty of adjourning the buſineſs to Tueſday, and declaring it very poſſible, the houſe might be *blown up* by the time.

After committing outrages on the Legiſlature, which would have diſhonoured

* This fact is given merely on the authority of the newſpapers. The Author was a witneſs to the general tranſactions of the Proteſtant Aſſociation, but was prevented by the crowd from getting into the gallery of the Houſe of Commons.

honoured a tribe of ſavages—the Aſſociated Mob proceeded in character, and in defiance of laws held ſacred throughout the world, deſtroyed the private chapels of the foreign embaſſadors, in Golden-Square and Lincoln's-Inn-Fields, and were prevented by the ſoldiers only from entering their houſes. They employed themſelves the two following days, with cool and rancorous deliberation, in the deſtruction of the Catholic chapel and houſes in Moorfields, and the houſe of Sir George Savile.

On Tueſday the ſixth, they aſſembled near the Houſes of Parliament, with leſs order than on the preceding Friday; and would, probably, have put many of the members to death, if the ſoldiers had not attended and reſcued them.

Being offended by one of the Magiſtrate's, they ſent a detachment to deſtroy his houſe, and burn his furniture.

niture. And when Parliament broke up, and Lord George informed them, That the conſideration of their Petition was put off, until the tumults ſubſided, a party of them took out his horſes, and drew him in triumph through the City: ſome of the moſt decent and prudent, it is to be ſuppoſed, betook themſelves home; but the greater number ſallied out in different directions for the purpoſes of miſchief, and depredation. Several houſes were in flames on that day, and in the evening Newgate was on fire. They received ſo little moleſtation in their meaſures, that they profeſſed a deſign of reforming the State, and turned their views to the Miniſters. They ſent a deputation to the Priſons of the Fleet and King's Bench, deſired the priſoners might be diſcharged, for they had determined there ſhould be no place of confinement in England; appointed the hour

on

on which they were to be conſumed, and were punctual to their appointment.

It was not perceived they had blended *politics* with their principles of religious cruelty and depredation, until they deſtroyed Lord Mansfield's houſe; and declared in the public ſtreets, their intention of paying off the National Debt, and being revenged on the Dutch by totally deſtroying the Bank of England. Then the military operations againſt them commenced: but with ſo much reluctance and caution, that on Wedneſday evening, all London appeared to be on fire; and a total diſſolution of every thing like order and government ſeemed to be taking place.

The whole town was illuminated by the command, probably, of chandlers and

and glaziers boys; but every command from the ſtreets was inſtantly obeyed. The flames roſe in enormous columns from the King's-Bench, Fleet-Priſon, the large Warehouſes of Mr. Langdale the diſtiller, the Toll-houſes on Black-friars Bridge, and a great number of private houſes.

The Rioters patrolled the ſtreets in parties, and laid every houſe, and almoſt every paſſenger under contribution. People were ſeen in all directions; ſome carrying off their own goods with a view of ſaving them, others with goods they had ſtolen: men and women lay in heaps, from a degree of intoxication which was mortal; the reports of fire arms from the ſoldiers, and the ſight of deſperadoes dropping down and dying with mingled rage and pain——all formed a ſcene of horror,

which it is to be hoped will not ſoon be forgotten.

THE exertions of Government by the military power, particularly at the Bank, and the ſacrifice made of many of the Rioters, checked their fury, and diſperſed them.

WHEN the terrors of men were removed, their eyes were opened on the nature of their ſituation: every man ſaw, in a country which boaſts of its Civil Conſtitution; where perſonal ſecurity and liberty are ſaid to be provided for in a better manner than in any other part of the world, that the firſt links and ties of that Conſtitution were broken; that every family was almoſt detached and unſupported; and that the ſlighteſt combination of villainy, might lay waſte a neighbourhood, a town, or a diſtrict; or might overthrow

throw the ſtate, unleſs prevented by a power, whoſe protection muſt be purchaſed at a price to which nothing on earth is an equivalent.

IT is on all ſides confeſſed, that the adminiſtration of our civil government has fallen into diſuſe, and that the very nature of it is nearly forgotten. Timid wretches, called Engliſhmen, tremble at the ruſtling of the winds; and they bleſs providence for the *quiet* and ſafety they experience under military regulations, as ſheep bleat their ſatisfaction in the incloſures of butchers, where they may eſcape the depredation of wolves.

THESE are the *diſcoveries* which I hinted at, as having been made by the late outrages: and they are as important to this country as can well be imagined. They form an era in the hiſtory of

our Conſtitution, and the meaſures taken at this time, will determine our diſputes on Liberty and Slavery. For if civil regulations are *revived*, and the Magiſtrates are rendered competent to provide for our ſecurity, our Conſtitution will be *reſtored*. But if a daſtardly terror, an effeminate indolence, induce us to commit the care of ourſelves and families to an Army, under any appellation, or in any method of introducing it, whoſe aſſiſtance we have experienced in difficulties and dangers, at the rememembrance of which we ought ever to bluſh———we then ſink into the condition of our neighbours, with this only difference, that we ſhall be more effectually enſlaved from the very nature * of our ſituation, and taſte our miſery in multiplied bitterneſs, while we have any recollection of our former ſituation.

WHEN

* All Governments *perfectly* deſpotic are bounded by *deſerts* or by *ſeas*.

WHEN I mentioned diſcoveries, you probably expected I ſhould point out to you the French or American agents, who have been ſuppoſed to have occaſioned this tumult. I have ſhewn its *general cauſes*; I will juſt touch on theſe opinions.

No ſtranger can be long in this country, without perceiving its total want of police; that perſons of all deſcriptions and characters, crowd into any corner as they think proper; that the firſt Magiſtrate of the beſt civil Conſtitution in the world, ſleeps under the protection of a ſoldier; a being degraded from the rank of citizen, and not even known or acknowledged in that Conſtitution; that youth and health commit themſelves to reſt under the care of age and infirmity; that villainy may aſſemble deſperadoes in any numbers, without queſtion or moleſtation; and

and that the blackeſt crimes may be committed, and the moſt miſchievous devaſtations be widely ſpread, before a remedy (almoſt as hateful as the evil) can poſſibly be applied.

THERE are reaſons to think, that theſe circumſtances had ſuggeſted to the French and Americans a plan of deſtroying London. But from the imperfect hints and circumſtances I could collect, I ſhould imagine the plan was to have taken effect, when the fleets and, perhaps, armies of the houſe of Bourbon appeared on our coaſts.

THIS is not the only inſtance in which the Americans have found their allies tardy; and we perhaps may owe the diſappointment of their views, to the villainy of the Proteſtant Aſſociation. For there does not appear the ſlighteſt ground of ſuſpicion, that there was any connection

connection between thoſe who were to execute ſuch a plan and the Proteſtant Aſſociation.

Nay, we muſt have ſo much candor to the Aſſociation itſelf, and pay ſo much regard to the declarations of their Secretary, *after* the miſchiefs have been committed, as to ſuppoſe it was not their intention to do *all* that has been done; that they meant merely to intimidate the Legiſlature, and to wreak their religious rancour on the Roman Catholics. When they had thrown open the priſons, their acceſſion of force enlarged the views of the moſt active among them, and the *ſaints were to inherit the earth.*

If any friends to France and America mingled with them, as there are reaſons to ſuſpect, it was done too late to have any great effect on their views or actions.

tions. They were probably disappointed in having a project taken out of their hands, which at a more convenient season, might have been executed in an effectual manner.

I have the honour to be,

SIR,

Your most obedient

June 16, 1780

humble Servant.

LETTER II.

What is ſettled by cuſtom, *though it be not good, yet at leaſt is fit; and thoſe things which have long gone together, are as it were confederate within themſelves, whereas new things piece not ſo well; but though they help by their utility, yet they trouble by their inconformity. They are like ſtrangers, more admired and leſs favoured..* BACON.

SIR,

THE queſtion you have propoſed is a moſt important one——What can be done to reſtore our Conſtitution to its ancient vigor? But in order to confine my own as well as your attention to thoſe particular objects which now intereſt the Public, I would ſtate your meaning in the following words.—What are the proviſions of the Engliſh Conſtitution

for perſonal and domeſtic ſecurity, and the preſervation of order and peace?

It is a maxim of eſtabliſhed authority, that governments, to be perpetuated, ſhould be frequently brought back to their firſt principles. They are not to be reformed and changed on ſpeculative plans, for the people are governed more by the authority of ancient cuſtoms, than by argument or reaſon. My buſineſs therefore ſhall be, to examine a venerable building, whoſe principal pillars remain, though perhaps concealed by ivy, or mouldered by time; and whoſe minuter parts can be delineated only by a reference to thoſe which form and ſupport the whole.

Indeed the ſtructure itſelf was never perfectly completed. A rude plan was given by the Saxons, which the Danes nearly eraſed. The fine genius of Alfred reared

reared afterwards the general and eſſential parts of a ſtructure, the idea of which has been impreſſed on the imagination and heart of every Engliſhman; and, it is to be hoped, will never be obliterated.

To ſome perſons it appears to be a vague idea, becauſe the magnitude of an object, whoſe parts are ſo diſtant, broken, and deformed, make it difficult for them to comprehend its general ſymmetry and beauty.

I aſcribe the complete formation of thoſe general outlines, by which we have ever defined the Engliſh Conſtitution to Alfred, on the authority of hiſtorians, who ſpecify the particular regulations which rendered his government ſo happy as well as glorious; which have been in ſome degree preſerved amidſt violent and numerous re-

volutions; to which every Engliſhman has an unconquerable partiality; and the reſtoration of which to their proper vigor and effect, would ſecure our perſons and property, and preſerve that peace and order which are ſo eſſential to the happineſs of the community.

KEEPING in view thoſe general, thoſe beautiful outlines which were formed by the inſtitutions of our early anceſtors; over which the people ſighed when broken and deformed by the Norman conqueſt, by the bloody conteſts of the Houſes of Lancaſter and York, by the tyranny of the houſe of Tudor, and the folly of that of Stuart; and an attention to which alone, rendered the revolution a bleſſing:—we muſt define an Engliſh citizen to be a free-man; who is to owe his protection, and the ſecurity of his family and property, to a civil government,

vernment, of which he is an eſſential member.

You will obſerve, Sir, that I confine myſelf to one object, or one part of our Conſtitution, which provided for the ſafety of individuals, and the preſervation of order by the following regulations, ſtill exiſting in names and forms; the revival of which would be the moſt beneficial and popular act of Government which can well be imagined.

The whole kingdom was, as it is now, divided into counties, hundreds, and tithings. Ten families were aſſociated, their names entered, their occupations defined: the males in them from eighteeen to fifty, or ſixty years of age, pledged themſelves for the ſecurity of the tithing; and to obey the ſummons of

of the decennary or tithingman, on the leaſt apprehenſion of danger. They were furniſhed with ſuch arms as the times afforded.

THE perfect knowledge which every neighbourhood had of its inhabitants; the concern which every man had in the ſecurity of every man; and the obligation which every decennary was under to be anſwerable for his tithing, either prevented all violations of peace and order, or corrected them at their firſt origin.

ALL the decennaries or tithingmen were *choſen by the people* once a-year, and this is an *eſſential* circumſtance in the inſtitution.

THE ten tithingmen of every diſtrict called a hundred, becauſe it contained a hundred

a hundred families, choſe a perſon to preſide over the hundred, to whom they made their appeals, and who had a power of calling them out—All theſe were amenable to the Earl or Count who governed the county; and he was amenable to the King, who either by the Earl or by the Sheriff, both of which were of his own appointment, could call out the whole force of a county, or of any number of counties, as the public exigencies required; while the internal peace and order of each diſtrict was provided for without his interference, and, in a manner, perfectly conſiſtent with his general authority and influence.

NOTHING has ever been imagined more ſimple in its conſtruction, or more effectual in the execution, than this part of the Engliſh Conſtitution. The

ſeveral

ſeveral powers of it, which in moſt caſes are in eternal diſcord, are here ſo happily blended, that the people are ſecure and free; the King's power extends to every thing but miſchief, and is in reality greater than can be obtained on any other plan.

THESE regulations might be eaſily reſtored and rendered as effectual as ever. The prepoſſeſſions of the people are ſtrongly in their favour; and, perhaps, no others can be contrived which will not ſet the body of the people *at enmity* with Government; which will perfectly allay their apprehenſions and jealouſies; will make them the miniſters of their own ſecurity, while the power of the King reaches every individual of them, by a chain, every link of which is effectual, and will not interfere with the prerogative of the King in other departments

partments of the ſtate, however the buſineſs of them may be adminiſtered.

THIS is the *moment of time* in which theſe inſtitutions may be reſtored. The people, ſenſible of their danger, and apprehenſive of the conſequences of employing troops to protect them, are aſſociating in ſeveral parts of the metropolis: but they ſeem totally at a loſs how to conſtruct thoſe Aſſociations. They are embarraſſed with the ſhoals and quick-ſands of laws. Every thing is ſo quiet, ſo regular, ſo void of trouble under the *preſent* regulations of military law; and their own attempts are ſo inconvenient and troubleſome, that they will probably give up the care of themſelves, conſent to a military police, or ſomething ſimilar to it, and conſign their ſecurity and liberty to a power, which is always benignant in its firſt approaches, and ſel-

dom ſhews its fangs until it be too late to eſcape them.

I have the honour to be,

S I R,

Your much obliged, and

June 20, 1780.

moſt humble Servant.

LETTER III.

Conſultatum inde, pro roſtris, an in Senatu, an in caſtris adopti nuncuparetur: Iri in caſtra placuit. TAC.

SIR,

I Will anſwer your objections in the order you have ſtated them——

1. THAT the plan I have given, is not at this time practicable; and that all armed Aſſociations, are offences againſt particular acts of parliament.

2. THAT the late outrages proved the

inefficacy of the civil power without the aid of the army ; that the army is a neceſſary part of our Civil Conſtitution ; and that the uſe made of it in ſuppreſſing thoſe outrages, was not only expedient, but legal and conſtitutional.

If you ſuppoſe the plan impracticable, becauſe the influence of the Crown and the meaſures of Adminiſtration are directed to the eſtabliſhment of an unmixed Monarchy; in which all the people will be *protected* by the army, part of which may have the appellation of militia, and in which ſuch inſtitutions as were formed for civil liberty would be inconvenient :—My anſwer is, That though I have ever regretted many of thoſe meaſures which have lately alarmed the friends of our ancient Conſtitution—I do not attribute them to any particular Prince, or particular

ticular Adminiſtration. The evils we complain of are owing to a general cauſe; the firſt operations of which, perhaps, no wiſdom could eaſily have prevented.

At the Revolution and the Acceſſion of the Hanover Family, the *exiſtence* of the Conſtitution was ſaid to depend on having a certain majority in Parliament in favour of the reigning Prince. This poſition, though not a fact, and though a wretched artifice in policy, was admitted without controverſy; it ſaved the firſt friends of the Revolution and Hanover ſucceſſion a few additional ſtruggles; it ſmoothed the way of the firſt Whig Adminiſtrations; and involved their ſucceſſors in the hateful neceſſity of perpetually extending an evil, which by rendering Parliament contemptible, and throwing an odium on Adminiſtration, and the K—g, will in

ſome

ſome future time make the whole nation acquieſce in the demolition of Government, and bring things to a ſtate of anarchy or of deſpotiſm.

I profeſs to keep clear of this vortex of corruption. I am convinced that the preſent Cabinet and Adminiſtration have no ſyſtem, but what ariſes from the neceſſities of their ſituation; and that they can have no objection, becauſe they will feel no inconvenience from the revival of conſtitutional inſtitutions, which have not the moſt diſtant reference to their forms of legiſlation by the management of Parliament.

If you mean that is impracticable, becauſe the inhabitants of this country are too far advanced in luxury, too indolent, too effeminate to enter on any plan of ſecurity, which will require the leaſt trouble, or put them to the leaſt inconvenience;

inconvenience; and if you can aſcertain this fact, I have no anſwer to make. But the trouble and inconvenience are ſuch as would not be complained of by women. What is it but an amuſement to learn the common uſe of arms? What inconvenience to ſubmit to ſuch regulations as may bring together a neighbourhood, a pariſh, the ward of a city, a town, a diſtrict, &c. to clear them of vagabonds, occaſionally to aſſiſt the civil Magiſtrate, and to lay the baſis of a general ſecurity, confidence, and ſtrength, where it ought to be laid, in the whole body of the people?

I will venture to affirm, that there is no other method by which diſturbances, riots, and inſurrections can be prevented (without debaſing the people into the condition of brutes): and there is no other method by which a king may hold

hold every man in the nation in his hands; while every man in the nation would feel and know himſelf to be as free as it is poſſible he ſhould be in ſociety.

HINTS have been thrown out, of acts of Parliament which render ſuch Aſſociations as I recommend illegal; but the acts are not ſpecified. I know there are laws forbidding a man's going armed, in a time of tranquillity and peace, without leave from a Magiſtrate, and ſpecifying ſuch aſſemblies of people as are dangerous and ſeditious; but without the moſt diſtant reference to the right which every man has from nature, from the connivance of the moſt deſpotic governments, and from the expreſs proviſions of the Engliſh Conſtitution—to provide for his own defence and that of his family; and to unite with his neighbourhood, under the

the eye and direction of the ſupreme Magiſtrate, for the general peace and order of the community.

If there were ſuch laws as you mention, they could not poſſibly have effect, againſt not only a neceſſary right of nature, but an eſſential principle of the Engliſh Conſtitution. If a law were made, that becauſe it is *poſſible* an Engliſh elector may become venal, therefore all electors muſt relinquiſh the right of voting——Would this conſtitute an obligation? Will any man ſay, that the Legiſlature is competent to the making of ſuch a law?—how much leſs to annihilate the firſt and moſt important principles of human ſociety, by awarding, that as it is poſſible men may make an improper uſe of their limbs, or their arms, which may be as neceſſary as their limbs, they muſt therefore ſuffer them to be *taken off*.

THE power of the Legiſlature, like every power in human ſociety, is limited by certain and accurate bounds; it may exceed theſe bounds, and commit abſurdities, and even offences. The Engliſh Legiſlature is juſt as competent to make a law, by which every Engliſhman may be baniſhed to the Orkneys, or put to death, as it is to enjoin the people to give up the right of ſelf-defence and preſervation, by the uſe of their limbs, or by the uſe of arms.

THE apprehenſion that Aſſociations will produce commotions and riots, inſtead of preventing them, muſt be pretended only. And all the arguments for depriving the people of the right of aſſociating, becauſe they have often aſſembled for miſchievous purpoſes, are deluſive. Cardinal de Retz ſays, That all numerous aſſemblies are Mobs; and I will add, that all Mobs are miſchievous.

vous. Let the people who might form ſuch aſſemblies be divided into ſmall bodies; and though the individuals be not improved, they will act reaſonably and well. The deſign of Aſſociations, is to prevent large and tumultuous aſſemblies; to arrange the people under the eye of Government, as accurately as an army, without diminiſhing their conſtitutional independance and liberty; to increaſe the difficulty of miſleading them, and to deſtroy all ideas of *appeals to them*.

HERE I beg to be underſtood, not as aiming at any of the rights of the people: but the idea of an *appeal to them* has been borrowed from the government of *Rome*; in England it is, like the introduction of military force, a thing that negligence or miſmanagement may render *neceſſary*; but the Conſtitution is perfect without it; no ſuppoſition is

made of the poſſibility of having any occaſion to make it; and whenever it is made, the remedy may be as hazardous as any evil it can be deſigned to remove. A whole nation, like the human body, in order to act with harmony and pleaſure, muſt be divided into ſmall parts, each having its local power, ſubject to the direction and controul of the general will. The people of England have a right to petition, either as individuals or as bodies; but they cannot aſſemble, unleſs it be on ſpecified occaſions; or by the requiſition of thoſe Magiſtrates which I have deſcribed in the plan, and who are amenable to the King, as the firſt Magiſtrate of the kingdom.

THE tumultuous aſſembly, called the Proteſtant Aſſociation, was an unconſtitutional one; it could not have been brought together, if the inſtitutions I wiſh

wiſh to revive, had not been long diſuſed; or if it had been brought together, the civil power would have fully guarded us from its outrages.

THIS leads me to your ſecond objection.

THAT the late outrages proved the inefficacy of the civil power, without the aid of the army.——This is undoubtedly a fact; but it proves nothing more, than that a ruſty firelock may be of no uſe.

WILL you, Sir, or any man affirm, if every Citizen of London had been, what the Conſtitution of England, not only allows, but requires every man to be, in a condition to defend himſelf and his family; to elect a Magiſtrate who might not only make orations for him in the Common Council, and eat

good

good dinners at the Common Hall, but call the Ward out for its general defence; take the orders of a ſuperior Magiſtrate, join the other Wards, and defend the City:—will it be imagined, that any of the miſchiefs which followed the Proteſtant Aſſociation would have have taken place?——The civil power was dead! and the Magiſtrates were only nominal. In the caſe alluded to, the City of London was in the condition of a man, who, having loſt the uſe of his limbs, is glad to be indebted to any one for protection from an enemy who would deſtroy him. It does not follow, that when he recovers the uſe of his limbs, he is to continue under the protection and in the power of his deliverer.

But you mean to try my temper, I ſuppoſe, when you ſay,—The army is a neceſſary part of our Civil Conſtitution; and

and that the uſe made of it, in ſupreſſing the outrages of the Proteſtant Aſſociation, was not only expedient, but legal and conſtitutional.

I will ſtate your meaning at large, in the words of Lord Mansfield; and anſwer you from a ſpeech which he made, when his faculties were in greater vigour, and his views of the Engliſh Conſtitution leſs influenced and partial, than they can be ſuppoſed to be at preſent.

In his ſpeech on the addreſs, Monday, June the 19th, he ſaid, "All men, "of all ranks, deſcriptions, and deno- "minations, are bound by their oath "of allegiance to interpoſe for the pre- "vention of acts of high treaſon or felo- "ny, wherever any attempts to perpetrate "ſuch crimes are made in their pre- "ſence; and are criminal if they do "not

" not do it ; ſuppoſing, as muſt be un-
" derſtood, that the ability of preven-
" tion is within their power or capacity.
" —This is a general duty; an uni-
" verſal obligation that extends to all
" the members of the community.——
" If a man perceives another in the act
" of pulling down a chapel, or place of
" worſhip, or ſetting fire to a houſe,
" he not only has a right, but is under
" a duty to endeavour to prevent him;
" if the perpetrator reſiſts, ſo as to make
" violence neceſſary in the prevention;
" the circumſtances are a ſufficient ſanc-
" tion and exculpation for the conſe-
" quences of ſuch a violation, to what-
" ever degree it may extend. How then
" is it, that this peculiar kind of thing,
" called *military law*, is to be conſidered
" as being eſtabliſhed from the late in-
" terpoſition of the ſoldiery?—What did
" they do, that any man was not bound
" to do, if he had poſſeſſed the power?
" —nothing.

" nothing. They were *ſent for* to the
" metropolis;—that order the King
" has an undoubted right to give, as
" the head of his armies. When they
" came, they were ordered to patrole
" the ſtreets. In the execution of that
" *duty*, they found certain men in the
" actual commiſſion of felony, and
" therefore were bound, in common
" with all *civil men* who had the power,
" and *no otherwiſe*, to prevent it. If
" they had exerciſed that power in an
" improper manner, they would have
" been amenable to the *civil* law, and
" not the military; and if any indi-
" vidual of them had killed a man,
" without being juſtified by the offen-
" der's perſeverance in the act of felony,
" he would have been liable to be tried
" for murder, and to have ſuffered the
" laws. In the whole of theſe proceed-
" ings, therefore, the military have not
" acted in their *technical capacity* as mili-

" tary, but have merely exerciſed their
" duty as *civil men*, which they, in com-
" mon with other *civil men*, have both a
" right and an obligation to exerciſe.
" When a body of men are convened,
" without proceeding to the actual per-
" petration of treaſonable or felonious
" acts, then, by a clauſe in the riot act,
" the preſence of a civil Magiſtrate is
" neceſſary, before the military can inter-
" poſe at all; and for this reaſon, that
" as no acts of felony were committed,
" they could have no plea in their *civil*
" character for meddling at all; but by
" the ſtatute-law of the country, it be-
" comes felonious in any combination
" of men to perſevere in that combina-
" tion after the riot act has been read
" by a Juſtice of the peace; and this
" being done, then, and not till then,
" they have a *conſtitutional* reaſon for their
" interpoſition; namely, the privilege
" and duty of hindering the com-

" miſſion

" miſſion of ſelony whenever they " have it in their power. This being " therefore the plain *voice of the law*, " I do not ſee how any *prerogative* of " the King has been exerciſed, nor how " military law has been eſtabliſhed. " Nothing has been done *out of the regu-* " *lar courſe of the law*, and no power has " been aſſumed by the ſoldiery, which " they do not poſſeſs as civil individu- " als, and not in their technical capa- " city, as members of the military.

In the following paſſage, Lord Mansfield has anſwered himſelf.—* " It will " be ſaid, I ſuppoſe, that the civil Ma- " giſtrate is not ſtrong enough; ſhall " he not then call in the aſſiſtance of " the troops?—I beg leave to ſay, that " the

* Mr. Murray's ſpeech on the Weſtminſter election in 1741.

" the law of England, will not ſuffer a
" ſuppoſition of that ſort to be made:
" for if a Sheriff who is armed, (I am
" aware of the objection) I ſay, if a
" Sheriff who is armed with the civil
" power of his country, or if a Bailiff
" who is armed by the law, if he ſhould
" give an anſwer, for not returning the
" King's writ, that he was reſiſted;
" though the fact be true, the law con-
" ſiders it as a fact not to be ſuppoſed,
" and an action lies againſt him at the
" ſuit of the party—and why?——be-
" cauſe it is a *libel on the Government*, to
" ſuppoſe the civil Magiſtrate not ſtrong
" enough.——The troops are kept up
" up by *annual bills*, not for the aſſiſtance
" of the civil Magiſtrate, that would
" be for a reaſon that *laſts for ever*.—
" Can any civil Magiſtrate ſend a war-
" rant to the Guards?—Is there ſuch a
" warrant known to the law?—No man,
" Sir, would wiſh *to live* to ſee that day,
" when

" when the Civil Government of this
" Country cannot ſupport itſelf without
" the aſſiſtance of the military. I will
" be bold to ſay, when it is not, *that*
" *Civil Government is undone*; for it is then
" not the *law*, but the *military* that go-
" verns; and I hope in this country,
" the bare word of a *tipſtaff*, will go as
" far as the commands of a *lieutenant*
" *general*,——Suppoſe, Mr. Speaker, a
" caſe of the moſt extraordinary neceſ-
" ſity, when the civil Magiſtrate is really
" *over-powered*; and there is *fire ſet to the*
" *town*; ſhall not the troops then be
" called in to his aſſiſtance?—I think I
" put the objections as ſtrong as I can.
" —*That fatal argument of contending for*
" *an* EXCEPTION *to conſtitutional principles*;
" *that fatal argument has brought us many*
" *times to the brink of deſtruction.*"

THOUGH I conſider this anſwer of Lord

Lord Mansfield to himself as a sufficient one, to those who understand the nature of the English Constitution, I cannot avoid making some observations on a speech which is fraught with more pernicious sophisms than any which I ever read. I suppose Lord Mansfield's talents in this species of eloquence never to have been exceeded: *parvus callidus, bonos & modestos anteibat.*——He began with prepossessing his hearers in his favour by the most candid and liberal sentiments on Toleration. He then impressed on their minds the strongest detestation of the late outrages, by a *banditti* calling itself a *Protestant Association:* having been a sufferer himself, from an *apparent wantonness* in their cruelty; and speaking in a *resigned* tone, every word sunk deeply, and gave him full possession of the hearts of his hearers. He took his usual advantage of the acquisition: he dwelt on

on all the poſſible perils of our ſituation, except thoſe which were obvious and impending; and men being more governed by imagination than reaſon, he artfully ſuppoſed they might be made to diſtruſt the ground they walked upon from imaginary dangers, ſooner than ſuſpect thoſe meaſures which they might ſee gradually encircling and annihilating their enjoyments. In this ſhadowy region of multiplied doubts, apprehenſions and miſchiefs, he introduced the military power in the garb of a beneficent and neceſſary divinity: for by a legerdemain, of which his Lordſhip has been long a maſter, a military man is convertible into a ſoldier or a citizen, as royalty may move its ſcepter; ſo that by this art of tranſmutation, the army, having received the royal touch, and thereby endowed with *civil* qualities, may be received into the very *boſom* of

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the Conſtitution, with the utmoſt ſecurity and benefit: and may occaſionally be taken out, endowed with military properties, and be moſt formidable to our enemies.—This is the ſophiſtry of modern eloquence!—theſe are the arts of modern policy!——And is the ſterling manly ſenſe of the Engliſh nation ſo adulterated, ſo debaſed as to be impoſed upon by ſuch tinſel ard ſuch tricks!

THE Conſtitution of England *knows no ſuch character* as a mercenary ſoldier, at the ſole will of the executive power. No ſoldier, as ſuch, can be employed in the ſervice of that Conſtitution, without a particular act of Parliament in his favour. When he is enliſted and employed, he is abſolutely a *ſlave*. He is *bought* at a certain price; or he *ſells* his liberty to preſerve a *forfeited* life; and he

he is held to his duty by laws which affect no other part of the community. I conceive therefore, that no act of Parliament, conſiſtent with the ſpirit of the Conſtitution, can conſtitute a *ſoldier*, while he continues a ſoldier, *a Citizen of England*.

THE army was firſt introduced in a caſe of pretended neceſſity. Mercenary armies were underſtood to conſiſt of men who had either detached themſelves, or been *forced* from civil ſocieties. Laws were made on thoſe ſuppoſitions, regarding their liberties and lives, ſuch as no members of civil ſociety could ſubmit to. The very idea of blending them with the common ſubjects of the ſtate, and giving *perſons of their deſcription* a right of *judging* on its moſt *important* occurrences, would have filled our anceſtors with horror, and not a ſoldier would

have been ſuffered in the land. They have been *tolerated* only by *annual* bills, and under repeated pretences. Why theſe pretences? or why theſe annual bills? if a military power be a neceſſary part of the Conſtitution? if ſoldiers be not only our fellow ſubjects, but from their privilege of going always armed, and their ſuperior ſkill in the uſe of arms, they are conſtituted the arbiters of our lives on the flighteſt and moſt frivolous contentions?

I hope the good ſenſe of the nation will revolt at this *legerdemain*; which is to transform a ſoldier into a *civil man* or into a *military man*, as Government may chuſe to employ him; and which will render our condition worſe than that of thoſe who are clearly and wholly ſubjected to martial law. For if this being called a ſoldier, *bought* from the refuſe of our gaols,

gaols, unprincipled, ignorant, and ſavage; impelled to any thing by the command of his leader; and ſubject to death on diſobeying it, whatever it be—if this being is to be held before us as poſſeſſing *a double capacity*, when he dare not in any caſe have a will of his own; if he is to blend in our affairs, and by a hint *(a permiſſion)* from his officer, *to judge* of and *determine* them—we are tantalized with the faint ſhadows of ancient rights, while we are actually *enſlaved*. For being told theſe are *civil men* who exerciſe *their judgments* in ſo deciſive a manner on our contentions and lives, and in the execution *of their* determinations ſacrifice the unoffending with the offenders, we may be tempted to ſeek a remedy, which Lord Mansfield *ſays* we may have againſt them in a court of law; and thereby add to thoſe *offences* on which they may have *permiſſion* from their commanders to judge

and decide; or we may find them *tranſmuted* into military men.

LET us, in his Lordſhip's own manner, ſuppoſe a caſe; and it may be a *poſſible* one;—that the King ſhould order his troops, a power he undoubtedly has as the head of his armies, to all the towns where Members of Parliament are to be choſen at the General Election, to controul, and determine matters at his pleaſure.——It will be ſaid, there is an Act of Parliament forbidding their approaching ſuch places. True;—but it relates only to their *military* capacity. They attend only in a *civil* one; though commanded by an authority which it is death to diſobey: and *finding an occaſion* to diſperſe aſſemblies, and to produce order and quiet, they take the *hint of freedom* from their commander, and kill the citizens who reſiſt or diſobey them. We are told, if they have done any thing unlawful

unlawful we muſt have recourſe to the laws; but their term of civil freedom inſtantly expires with the occaſion for taking permiſſion from their commander; and when called upon to anſwer for obeying the commands of their officers, they ſtart up *ſoldiers*, and ſhelter themſelves under military law.

LET the King ſend ten thouſand men to diſperſe thoſe peaceable, regular aſſemblies, who are petitioning Parliament from ſeveral counties for a redreſs of the moſt oppreſſive grievances; though this be done by troops in martial array, and by a command (Lord Mansfield calls it permiſſion) from an officer, to be obeyed on pain of death, they may ſaid, according to the ſophiſtry by which it is attempted to impoſe on us, to act in a *civil* capacity; in which capacity they may *maſſacre* all who create the leaſt tumult

mult in endeavouring to *arreſt and render them* amenable to law.

I therefore repeat what I have ſaid —the Conſtitution of England knows no ſuch being as a mercenary ſoldier; that in becoming ſuch, a ſoldier gives up almoſt all his civil rights, and is a *ſlave*, though of a particular deſcription; that the laws *tolerate* an army for certain periods, and under certain reſtrictions; but there is no law which admits the interference of the military in any of the operations of civil Government. The interpoſition of the army in the late outrages, was an *act of prerogative*, *unconſtitutional* and *illegal*, though perfectly ſeaſonable and beneficial. The public ſafety and benefit may ſometimes excuſe exertions of power, which would be injurious and tyrannical on ordinary occaſions.

If therefore, inſtead of having our civil Conſtitution reſtored, we are to be governed by the *manœuvres* and *magic contrivances* hinted at by Lord Mansfield, the people will either be ſo exaſperated that we ſhall have one Aſſociation of the whole kingdom, to cruſh our diſſembling oppreſſors; or they will emigrate into the milder domains of arbitrary power, where the convulſions attending its eſtabliſhment are paſſed, and the national character and manners of its inhabitants correct and meliorate its hardſhips.

But if it were poſſible that the army could be legally incorporated with the other parts of our civil Conſtitution; if ſuch a ſuppoſition were not the ſevereſt *libel* on it, its numbers muſt be prodigiouſly increaſed to form a police for the nation; and when that police were formed, it would not procure that

ſecurity

ſecurity which might be had by Aſſociations: while the neceſſary oppreſſions, conſequent on military and deſpotic power, would multiply *wretches* and *villains*, whom no ſeverity could effectually ſuppreſs. The plan of Aſſociations would *prevent* the evils which a military power could only *puniſh*. They would clear all neighbourhoods of diſorderly and ſuſpicious perſons; and every man would be happy in his ſituation, ſecured by himſelf from the attempts of villainy, without giving up his liberty as the price of that ſecurity.

We are at this time, Sir, brought into an alarming ſituation; and are hovering between Scylla and Charybdis. On the one hand, the general decay of civil Government, owing to the various engagements of all Adminiſtrations ſince the Revolution; and on the other, a

ſpirit

ſpirit of conqueſt and enterprize by military force—hold before us this horrible alternative, to ſink into anarchy, or ſubmit to arbitrary power, by accepting the *kind* offers now made us, of being made fellow-citizens with mercenary ſoldiers, and being protected by their *judgment* and *virtue* from the effects of our *own* irregularities.

IGNORANCE only in the navigation of antiquity, made Scylla and Charybdis formidable. Knowledge has ſince ſteered between them without danger or apprehenſion. Proſperity has lulled the people of this kingdom into an indolence, which admits of any *gradual* encroachments on their rights. But the blow, aimed by a deſperate and enthuſiaſtic banditti * at *all* of them, has rouzed the nation

* The Author involves the Proteſtant Aſſociation in the guilt

nation into attention, an awful kind of attention—*non tumultus, non quies, quale magni metus & magnæ iræ ſilentium eſt:* and this point of time is to be improved by us, as that on which every circumſtance depends, which has given us a diſtinguiſhed rank in the world.

In a ſtate of anarchy, confuſion, and diſtreſs, we have been ſaved by the interpoſition of a military power, exerted by the prerogative of the King:—that power is now thought neceſſary to the execution of the laws; but let it be withdrawn, as it muſt be on the appearance or apprehenſion of an enemy, and our anarchy and miſery muſt return: let it be continued; and though it be not competent to ſecure *peace* and *order*, it will neceſſarily render us *ſlaves*. We are

guilt of the late outrages, becauſe nothing but bigotted cruelty could have committed them. Robbers are ſatisfied with booty; bigots are to be gratified with miſery and blood.

are therefore under a neceſſity of reſuming the parts of *men* and *citizens*; of aſſociating for reciprocal defence; and reviving thoſe wiſe inſtitutions of our anceſtors, to a very imperfect and partial uſe of which we have been indebted for all our glory and happineſs.

Sicut a majoribus accepimus, ſic poſteris tradamus.

I have the honour to be,

SIR,

Your moſt obedient

humble Servant.

THE END.